

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CASSIUS M. CLAY SR.,

Civil Action No. 05-125E

Plaintiff, 06 OCT 16 P3:44

Vs.

District Judge McLaughlin

TRACEY REEVES, ET AL,

Magistrate Judge Baxter

Defendants,

NOTICE OF MOTION FOR
EXTENSION OF TIME TO FILE OBJECTIONS

TO THE DEFENDANTS AND THEIR ATTORNEY OF RECORD:

You are hereby notified that on the 10th day of October 2006, the Plaintiff, CASSIUS M. CLAY SR., Petitioned the Western District Court for a Motion to Extend the time for the Filing of his Objections, to the Magistrate Judge's Report and Recommendation, Dated September 28, 2006. Plaintiff will move the Court to Grant an Extension of time to Respond to the Motion, After he receives the Transcripts, and a Copy of the Defendants Exhibits, that were used to make the Determination, inwhich he has not Received as of Yet. (FAMILY DIVISION COURT ORDER).

This Motion is based on All papers filed and Recorded in this action, and on any other evidence received at the hearing.

DATED: OCTOBER 10, 2006.

Cassius M. Clay Sr.

CASSIUS M. CLAY SR. DQ5954

P.O. BOX 945

Marienville, PA 16239

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CASSIUS M. CLAY SR.,
Plaintiff,
Vs.
TRACEY REEVES, ET AL,
Defendants,

Civil Action No. 05-125E

District Judge McLaughlin
Magistrate Judge Baxter

MOTION FOR ENLARGEMENT OF TIME TO FILE
OBJECTIONS TO THE MAGISTRATE'S REPORT AND RECOMMENDATION

NOW COMES the Plaintiff, CASSIUS M. CLAY SR., Pro-Se, and Respectfully requests, Pursuant to Fed.R.Civ.P. 6(b), an Order Extending the time to respond to the Magistrate Judges Report and Recommendation Until Time Specified by Judge.

THIS MOTION IS MADE ON THE GROUNDS THAT:

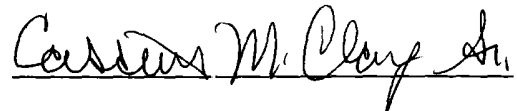
1. Plaintiff received the Magistrate Judge's report and Recommendation on October 3, 2006, where said order was Dated 9/28/06.
2. The Defendants Attorney, Craig E. Maravich, Presented an Order at the September 21st., Hearing inwhich the Plaintiff has not gotten a Copy of, which is needed to file the Objections.
3. Plaintiff will also be Requesting a copy of the two Phone hearing Transcripts, inorder to glean the specific objections, from the Record.
4. This Extension is Sought at the Earliest possible time, and the Plaintiff has not requested any previous extensions, where all of his prior filings with the court have been made in a timely manner.

5. Because the deadline is October 16, 2006, the extra time is needed to obtain the Transcripts, and the Exhibits from the Defendants, which are essential to the preparation of the Objections.

6. Also, Plaintiff who is representing himself on a Pro-Se basis, is allowed access to the prison law library only three times per week, (with a one week prior request), and with the Holiday, and the closings on the 9th, 10th, 11, and 16th, this will prevent him from completing the necessary legal research required to properly review the new case law the Magistrate Judge used to make the Determinations, and to respond.

RESPECTFULLY SUBMITTED;

DATED: OCTOBER 10, 2006.



CASSIUS M. CLAY SR.,

Institution #DQ5954

P.O. BOX 945

Marienville, PA 16239

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CASSIUS M. CLAY SR.,

Plaintiff,

Vs.

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Defendants,

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AFFIDAVIT

I, CASSIUS M. CALY SR., Declare;
That, I am the Plaintiff in the above Captioned Matter, and state
that everything printed in the Petition/Motion is TRUE, and CORRECT
to the best of my Knowledge, and Ability.

I Further Declare, that Under the Penalty of Perjury, (28
U.S.A. §1746) that the Foregoing is True and Correct.

EXECUTED THIS: October 10th, 2006.

Cassius M. Clay Sr.

CASSIUS M. CLAY SR.

Institution #DQ5954

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CASSIUS M. CLAY SR.,

Plaintiff,

Vs.

TRACEY REEVES, ET AL,

Defendants,

Civil Action No. 05-125E

District Judge McLaughlin

Magistrate Judge Baxter

ORDER GRANTING EXTENSION OF TIME
TO FILE OBJECTIONS

On October 10, 2006, Plaintiff CASSIUS M. CLAY SR., moved to extend the time to file his Objections to the Magistrate Judge's Report and Recommendation, until _____ Day of _____ 2006. Good cause has been shown for the Extension, and therefore,
IT IS ORDERED that:

1. The Motion is **GRANTED**;
2. Plaintiff CASSIUS M. CLAY SR., Shall have Until _____ P.M., on _____ day of _____, 2006 to prepare his Objections to the Magistrate Judge's Report and Recommendation.

DATED: _____, 2006.

[U.S. Magistrate Judge]